

SCOTTSDALE

CITY COUNCIL MEETING



*****AMENDED*** AGENDA** (**SPECIAL MEETING:** TIME CHANGE AND ITEMS 2, 3, 4, AND 5 D, E, AND F **ADDED.** **REGULAR MEETING:** ITEM 1 MOVED TO REGULAR AGENDA WITH NEW WORDING; ITEM 16 NEW WORDING; ITEM 16A ADDED TO CONSENT AGENDA.)

COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Ned O'Hearn

David Ortega

Roberta Pilcher

Tom Silverman

Tuesday, February 17, 2004

*****4:00 P.M.**

City Council Special Meeting

Call to Order - City Hall Kiva, 3939 N. Drinkwater Blvd.

Roll Call

1. Brief update on judicial reappointment process involving Presiding City Judge Monte Morgan. Contact: Neal Shearer, Human Resources General Manager, 480-312-2604, nshearer@scottsdaleaz.gov.
- ***2.** Brief update on status of litigation over development on property located in the City of Scottsdale near 136th Street and Dynamite Road, SCOTTSDALE 275 L.L.C., v. City of Scottsdale, No. CV 2001-017719 (Scottsdale National). Contact(s): Joseph Bertoldo, 480-312-2478, jbertoldo@scottsdaleaz.gov; Debby Robberson, 480-312-2405, drobberson@scottsdaleaz.gov
- ***3.** Brief update on subdivision platting processes. Contact(s): Joseph Bertoldo, 480-312-2478, jbertoldo@scottsdaleaz.gov; Kelly Ward, 480-312-2405, kward@scottsdaleaz.gov
- ***4.** Brief update on status of negotiations for the acquisition of property to be added to the McDowell Sonoran Preserve: 780 acres of land located between Bell Road and Union Hills Road, at approximately 104th Street (Toll Brothers). Contact: Ed Gawf, 480-312-7225, egawf@scottsdaleaz.gov
5. MOTION TO RECESS INTO EXECUTIVE SESSION for:
 - a. Discussion or consideration of employment, assignment, reappointment and salary of Presiding City Judge Monte Morgan, including but not limited to a personal interview of Judge Morgan, regarding his application for reappointment. A.R.S. 38-431.03 (A)(1) and (A)(2). Contact: Neal Shearer, Human Resources General Manager, 480-312-2604, nshearer@scottsdaleaz.gov

SPECIAL MEETING CONTINUED

Tuesday, February 17, 2004

Page 2 of 9

- b. Discussion or consideration of confidential records and information relating to Judge Morgan's application for reappointment. A.R.S. 38-431.03 (A)(2). Contact: Neal Shearer, Human Resources General Manager, 480-312-2604, nshearer@scottsdaleaz.gov
- c. Discussion and consultation with the City Attorney(s) for legal advice regarding the reappointment of Judge Morgan. A.R.S. 38-431.03 (A)(3). Contact: Neal Shearer, Human Resources General Manager, 480-312-2604, nshearer@scottsdaleaz.gov
- ***d. Discussion or consultation with the City's attorney(s) and its outside counsel for legal advice and to consider its position and instruct its attorney(s) regarding the following pending litigation regarding development of property in the City of Scottsdale near 136th Street and Dynamite Road, SCOTTSDALE 275 L.L.C., v. City of Scottsdale, No. CV 2001-017719. A.R.S. 38-431.03 (A)(3) and (A)(4). Contact(s): Joseph Bertoldo, City Attorney, 480-312-2478, jbortoldo@scottsdaleaz.gov; Debby Robberson, 480-312-2405, droberson@scottsdaleaz.gov
- ***e. Discussion and consultation with City attorneys for legal advice regarding subdivision platting processes. A.R.S. 38-431.03 (A)(3). Contact(s): Joseph Bertoldo, City Attorney, 480-312-2478, jbortoldo@scottsdaleaz.gov; Kelly Ward, 480-312-2405, kward@scottsdaleaz.gov
- ***f. Legal advice and to consider the city's position and instruct its representatives and attorneys regarding negotiations and possible memorandum of understanding for acquisition of a portion of the following parcel for inclusion in the McDowell Sonoran Preserve: 780 acres on land located between Bell Road and Union Hills Road, at approximately 104th Street. A.R.S. 38-431.03 (A)(3), (A)(4) and (A)(7). Contact(s): Ed Gawf, Deputy City Manager, 480-312-2478, egawf@scottsdaleaz.gov; Robert Cafarella 480-312-2577, rcaffarella@scottsdaleaz.gov

Adjourn

City Council Executive Session

Immediately Following 4:00 P.M. City Council Special Meeting

Call to Order - City Hall Kiva Conference Room

Executive session for any of the purposes listed on the agenda for the City Council Special Meeting at 4:00 P.M., above.

Adjourn

5:00 P.M.
CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Roll Call

Pledge of Allegiance

Invocation

Presentations/Information Updates
National Engineers Week Proclamation

Boards, Commissions and Task Forces
Board of Adjustment (1)
Transportation Commission (1)

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Minutes

SPECIAL MEETINGS

REGULAR MEETINGS
[Tuesday, January 20, 2004](#)

EXECUTIVE SESSIONS
Tuesday, January 6, 2004

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

*****1. Item 1 moved to Regular Agenda**

2. Arcadia Fine Wine Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer/wine store) State liquor license for an existing beer/wine store.

Location: 4251 N. Brown Avenue

Reference: 104-LL-2003

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

3. Pati's Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a new restaurant location.

Location: 6166 N. Scottsdale Road #100

Reference: 105-LL-2003

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

4. Magnum's Bar Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an establishment currently operating with a series 06 (bar) liquor license.

Location: 2623 N. Scottsdale Road

Reference: 1-EX-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

CONSENT AGENDA

Tuesday, February 17, 2004
Page 5 of 9

5. [Ingleside Inn Tract Unit 03 Rezoning](#)

Requests:

1. Rezone from Single Family Residential R1-10 (City of Phoenix zoning) to Single Family Residential District (R1-7) on a portion of a .41+/- acre parcel located at 6002 E. Carnation Circle.
2. Adopt Ordinance No. 3555 affirming the above rezoning.

Location: 6002 E. Carnation Cr.

Reference: 22-ZN-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Teresa Huish, Community Planner, 480-312-7829, thuish@scottsdaleaz.gov

6. [Water Treatment Plant Use Permit](#)

Request: Approve a municipal use master site plan by expanding the existing water treatment plant with an additional 6.9+/- acres located at 8660 E. Union Hills Drive for construction of a water treatment facility with Industrial Park District, Planned Community Development (I-1, PCD) zoning.

Location: 8660 E. Union Hills Drive

Reference: 27-UP-2003

Staff Contacts: Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Bill Verschuren, Senior Planner, 480-312-7734, bverschuren@scottsdaleaz.gov

7. [Sprint PCS Conditional Use Permit](#)

Request: Approve a conditional use permit for a wireless communication facility to be located within two flagpoles on a 336 +/- square foot portion of a parcel located at 7609 E. Indian Bend Road with Multi-Family Residential District (R-5) zoning.

Location: 7609 E. Indian Bend Road

Reference: 32-UP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Bill Verschuren, Senior Planner, 480-312-7734, bverschuren@scottsdaleaz.gov

8. [Alley Abandonment](#)

Requests:

1. Abandon a half alley (10 feet wide) and full alley (16 feet wide) located north of Monterosa Street within the Hidden Village Sixteen subdivision.
2. Reserve a public utility easement over, under and across the entire subject alley area.
3. Reserve a private access easement in favor of parcel 173-47-008D over and across the subject 16-foot alley and portions of the 10-foot alley between lots 7 and 8.
4. Adopt Resolution No. 6445 affirming the abandonment.

Location: Between 66th and 68th Streets, north of Indian School Road

Reference: 10-AB-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Cheryl Sumners, Senior Planner, 480-312-7834, csumners@scottsdaleaz.gov

CONSENT AGENDA

Tuesday, February 17, 2004

Page 6 of 9

9. **DC Ranch Parcels 2.17, 2.18 and 2.19, Phase 2 Replat**

Request: Approve a replat on a portion of DC Ranch Parcels 2.17, 2.18, and 2.19.

Location: Southeast corner of Desert Camp Dr and 96th Street Alignment

Reference: 13-PP-2001#2

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

10. **Construction Bid Award for Hayden Road – Pima Freeway to Thompson Peak Parkway**

Requests:

- Authorize Construction Bid Award No. 03PB132 to Archon, Inc., the lowest responsive bidder, at their total unit price bid of \$4,786,531.60 for the construction of Hayden Road – Freeway (Loop101) to Thompson Peak Parkway project.
- Adopt Resolution No. 6428, which authorizes the acquisition of real property rights from the Arizona State Land Department and establishes a Not to Exceed Amount of \$7,000,000 for this acquisition.
- Authorize payment to Arizona Public Service (APS) in an approximate amount of \$90,000 for the installation of the street light primary system for this segment of roadway.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-2776, adreska@scottsdaleaz.gov; Alex McLaren, Construction and Design Director, 480-312-7099, amclaren@scottsdaleaz.gov

11. **Construction Bid Award for the Arsenic Removal Water Treatment Facility--Well Site 32**

Request: Authorize Construction Bid Award No. 04PB025 to Garney Companies, the lowest responsive bidder, at their lump sum bid of \$4,434,200 for the Arsenic Removal Water Treatment Facility at Well Site 32, located at 11606 N. 64th Street.

Related Policies, References:

- a. 2001 Water Resources Master Plan, approved by City Council on October 15, 2001.
- b. Engineering Services Contract #2002-139-COS with Narasimhan Consulting Services, Inc. for design of the arsenic treatment facility, approved by City Council on November 18, 2002.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-2776, adreska@scottsdaleaz.gov; Alison Tymkiw, Sr. Project Manager, 480-312-7985, atymkiw@scottsdaleaz.gov; Joe Gross, Water Resources Director, 480-312-5628, jgross@scottsdaleaz.gov

12. **Engineering Services Contract for Scottsdale Road and Thunderbird Road Intersection Improvements and Scottsdale Road Drainage Improvements**

Request: Authorize Engineering Services Contract No. 2004-014-COS with AMEC Infrastructure, in the amount of \$354,609 for the design of Scottsdale Road and Thunderbird Road intersection improvements and Phase One (1) of Scottsdale Road drainage improvements.

Related Policies, References:

- IGA #2003-052-COS with Flood Control District of Maricopa County related to cost participation for drainage improvements within the general area
- Scottsdale Road Corridor Drainage Master Plan

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-2776, adreska@scottsdaleaz.gov; Robert M. Johnson, CPM Project Manager, 480-312-7054, rmjohnson@scottsdaleaz.gov

CONSENT AGENDA

Tuesday, February 17, 2004
Page 7 of 9

13. Engineering Services Contract for Center Drive and North Freeway Access Road Design

Request: Authorize Engineering Services Contract #2004-015-COS with Wood, Patel & Associates, Inc., in an amount not to exceed \$890,004, for the conceptual and final design of roadway and drainage improvements on Center Drive between 74th Street and Hayden Road and the preliminary design of roadway and drainage improvements on the North Freeway Access Road between Scottsdale and Hayden roads.

Related Policies, References:

- Streets Master Plan - 2003
- FY 2003/04 Capital Improvement Plan
- Zoning Case 19-ZN-2002 (Crossroads East)
- Zoning Case 20-ZN-2002 (Stacked 40s)
- Transportation Commission – November 2002

Staff Contacts: Al Dreska, Municipal Services General Manager, 480-312-2776, adreska@scottsdaleaz.gov; Alex McLaren, Construction & Design Director, 480-312-7099, amclaren@scottsdaleaz.gov

14. Commercial Office Space Lease Agreement at the Scottsdale Airport

Request: Authorize lease agreement #2003-184-COS for the commercial office (Suite 100) at the Scottsdale Airport Aviation Business Center for Carl Salsman Aviation, Inc. to continue to provide aircraft sales services at Scottsdale Airport.

Staff Contact(s): John C. Little, Jr., General Manager, Transportation, 480-312-2539, jlittle@scottsdaleaz.gov; Scott T. Gray, Aviation Director, 480-312-7735, sgray@scottsdaleaz.gov

15. Amendment to Federal Aviation Administration Lease Agreement

Request: Authorize Contract #860912-A3, an amendment to lease agreement 860912, with the Federal Aviation Administration's Air Traffic Control Tower located at Scottsdale Airport. The Federal Aviation Administration is requesting to relinquish part of its current leasehold back to the City.

Related Policies, References: Lease Agreement No. 860912; FAA Grant Assurance No. 28

Staff Contact(s): John C. Little, Jr., General Manager, Transportation, 480-312-2539, jlittle@scottsdaleaz.gov; Scott T. Gray, Aviation Director, 480-312-7735, sgray@scottsdaleaz.gov

*****16. Harris Utility Billing System Software License, Services, and Software Maintenance Agreements**

Request: Authorize and approve contract #2004-011-COS (**which includes the Software License, Services Agreement and Software Maintenance agreements**) with N. Harris Computer Corporation DBA Harris Computer Systems for a new Utility Billing System. Funding in the amount of \$2,400,000 for this project was approved and made available in the 2002/03 CIP budget.

Staff Contact(s): Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov; Lynda Koemp, Utility Billing Manager, 480-312-2782, lkoemp@scottsdaleaz.gov

CONSENT AGENDA

Tuesday, February 17, 2004
Page 8 of 9

***16A. Scottsdale National Rezoning

Request: Initiate a rezoning from Single Family Residential, Environmentally Sensitive Lands District (R1-190 ESL) to Single Family Residential, Environmentally Sensitive Lands District (R1-190 and R1-70 ESL) on 30 +/- acre property located at the southeast corner of Rio Verde and 136th Street.

Reference: 2-ZN-2004

Location: Southeast corner of Rio Verde Drive and 136th Street

Staff Contact(s): Kroy S. Ekblaw, Planning and Development Services General Manager,
480-312-7064, kekblaw@scottsdaleaz.gov

Regular Agenda begins on the following page

17. Trails Master Plan

Request: Adopt Resolution No. 6447, approving the Trails Master Plan, and designating which, if any, alternative trail alignments (Dobson Wash, Reata Wash, 98th Street/Church Road/Pinnacle Peak Road, 98th Street/Church Road/Dobson Wash), or some other trail alignment is to be included in the Plan for the Church Road area.

Related policies, references. Parks and Recreation Commission approvals: 2/19/03 and 3/5/03. Previous Scottsdale Trails Plans, Design Standards and Policies Manual for Non-Paved Trails, Streets Master Plan, City of Scottsdale General Plan, Conceptual Trails Plan for the McDowell Sonoran Preserve, and Preserve Access Areas Report.

Staff Contact(s): Scott Hamilton, Trails Planner, 480-312-7722, shamilton@scottsdaleaz.gov; Debra Baird, Community Services Interim General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

*****1. Polly Esthers Liquor License**

Request: Consider forwarding a **denial** recommendation to the Arizona Department of Liquor Licenses and Control for a **person to person transfer** for a series 6 (bar) State liquor license for an establishment currently licensed with a series 06 license.

Location: 2040 N. Scottsdale Road

Reference: 103-LL-2003

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

City Manager's Report**Mayor and Council Items****Adjournment**

Executive Sessions authorized by Arizona Revised Statutes 38-431.03 in the Kiva Conference Room, City Hall, at 4:00 P.M., or immediately following the 5:00 P.M. Meeting. Executive Sessions are posted at least 24 hours prior to such meetings.

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.

CITY COUNCIL REPORT



MEETING DATE: February 17, 2004

ITEM NO. 6 GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Water Treatment Plant - 27-UP-2003

REQUEST

Request to approve a municipal use master site plan by expanding the existing water treatment plant with an additional 6.9+/- acres located at 8660 E Union Hills Drive for construction of a water treatment facility with Industrial Park District, Planned Community Development (I-1, PCD) zoning.

Key Items for Consideration:

- An additional 6.9 acres will be added to the existing 25-acre Central Arizona Project water treatment plant.
- The Municipal Use Master Site Plan will allow development of a new granular activated carbon (GAC) water treatment facility, as required under the Federal Safe Drinking Water Act, to filter the cities drinking water.
- The applicant held one open house meeting and contacted all property owners within 1,800 feet of the site.
- Planning Commission recommends approval, 6-0.

Related Policies, References:

122-ZN-1984, 50-DR-1985, 50-DR-1985#2,
50-DR-1985#3, 40-SA-2000, 10-UP-1991,
46-ZN-1990, 46-ZN-1990#2
(See Attachment #10 – Case History)

OWNER

City of Scottsdale - Water Resources
480-312-5827

APPLICANT CONTACT

Charles Henne
City of Scottsdale / Capital Projects
Management
480-312-7097

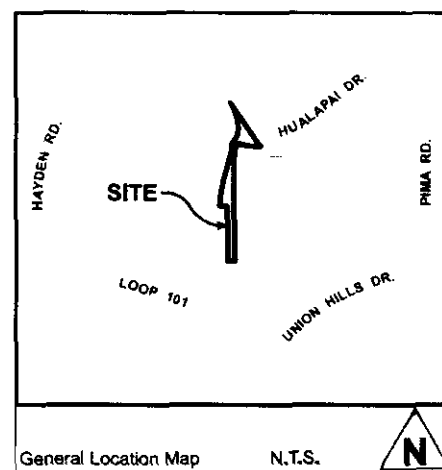
LOCATION

8660 E Union Hills Dr

BACKGROUND

History.

In December of 1984, the land for the CAP water treatment plant was rezoned from R1-35 to I-1. The rezoning allowed the land to be developed as a municipal use, there was no requirement for a conditional use permit at that time. Currently, the applicant has purchased approximately 6.9 acres of land to the west of the existing plant from the State of Arizona. This land is part of areas known as Core North and Crossroads East. During the late 1980's and early 1990's a variety of zoning cases were reviewed and approved in these



areas. The proposed expansion is part of "Parcel N" of the Core North Master Plan and another portion of the Crossroads East Master Plan.

Zoning.

The site is zoned Industrial Park District Planned Community Development (I-1, PCD). This zoning district allows for municipal uses. If the municipal use is greater than one acre, it requires a conditional use permit.

General Plan.

The General Plan Land Use Element designates the property as Cultural/Institutional or Public Use. This category includes government buildings and private or public utilities.

Context.

The CAP water treatment plant is located at 8660 E. Union Hills Drive, just west of Pima Road. The Scottsdale Water Campus is located on the east side of the site and the Solid Waste Transfer Station is located south of the site, both zoned are Open Space Planned Community Development (O-S, PCD). Vacant land known as Core North borders the west and north property lines of the site. The west property is zoned Open Space Planned Community Development (O-S, PCD) and the land to the north Industrial Park District Planned Community Development (I-1, PCD). The 101 Pima Freeway is south of the campus with the Grayhawk Master Planned community to the north approximately ¼ of a mile.

**APPLICANT'S
PROPOSAL**

Goal/Purpose of Request.

The existing CAP water treatment plant consists of 25 acres. The applicant is requesting approval of a municipal use master plan by expanding the existing CAP water treatment plant. The new granular activated carbon (GAC) facility will be built on 3.4 acres of the total 6.9 acres. The remaining 3.5 acres will house future water treatment expansions. The facility will contain a water filter system for the treatment of drinking water. It is anticipated that the system will remove odors, bad tastes, color disorders, and improve water quality by eliminating chlorination by-products.

Development information.

- *Existing Use:* CAP water treatment plant
- *Buildings/Description:* existing buildings and reservoirs
- *Parcel Size of whole plant:* 25 acres
- *Parcel Size of expansion* building to be constructed on 3.4 acres of the total 6.9 acre expansion
- *Building Height Allowed:* 60 ft. with a municipal use
- *Existing Building Height:* ranges from 33 ft. to 56 ft.
- *Proposed Building Height* 44 ft.
- *Floor Area:* 27,000 sq. ft. including the tanks and 10,000 sq. ft. without the tanks

IMPACT ANALYSIS**Traffic.**

Traffic generated by the proposed granular activated carbon (GAC) facility will use Union Hills Drive and will be low, estimated to be approximately 4 carbon/chemical truck deliveries per day for one week on a semi-annual basis. Union Hills Drive, located west of Pima, is the only and main access to the existing plant and proposed expansion. The road dead-ends at the CAP water treatment plant.

Water/Sewer.

The project expansion will not have an effect on the existing water and sewer infrastructure.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - *The proposed granular activated carbon (GAC) facility is fully enclosed, self-contained, and will not create damage, nuisances, or negative impacts due to noise, smoke, odor, dust, vibration or illumination on properties adjacent to the site.*
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - *Traffic generated by the GAC facility will be low, estimated to be approximately 4 carbon/chemical truck deliveries per day for one week on a semi-annual basis that will use Union Hills Drive west of Pima. This is the main and only access street to the plant.*
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - *There are no other factors associated with this project that will be materially detrimental to the public. The closest residents are located approximately 1,500 feet to the northeast of the site.*
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

The proposed GAC facility will not be intrusive or create land use conflicts with surrounding uses in the area. There are other municipal uses found east of the existing water plant including the solid waste transfer center and the Scottsdale Water Campus.
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

There are no additional conditions applicable to the proposed project.

Policy Implications.

The proposed Municipal Use to allow for a new expansion to the existing water treatment plant does the following:

- Provides better quality water to the citizens of Scottsdale.
- Keeps facility traffic on Union Hills Drive west of Pima Rd.

Community Involvement.

The applicant held one open house meeting on October 15, 2003 in which one person from the public attended. The nearby citizen asked general informational questions about the proposed facility. There are no residential lots, homes, or homeowner associations within 750 ft. of the proposed water treatment plant expansion. The closest residential project, Cachet at Grayhawk Condominiums, is located approximately 1,500 feet to the northeast of the site. Knowing that there were no residents within 750 feet of the site, the applicant notified 149 residents through a flyer, within approximately 1,800 feet of the site. The proposed project did not generate any public feedback.

Community Impact.

The Ordinance requires that a proposed Municipal Use, including the expansion to an existing use, must be in the general public interest, and not be potentially detrimental to the adjacent property. The proposed expansion consists of a granular activated carbon (GAC) facility that filters drinking water for residents. The facility will be housed in a building designed to match the existing buildings already located within the plant. Traffic generated by the use will be low, and noise, odor, dust and vibration will be contained within the building.

OTHER BOARDS AND COMMISSIONS**Planning Commission.**

The Planning Commission heard this case on January 14, 2004. There were no comments from the public or the Planning Commissioners regarding the proposed project.

Planning Commission recommended approval, 6-0.

STAFF RECOMMENDATION**Recommended Approach:**

Staff recommends approval, subject to the attached stipulations.

RESPONSIBLE DEPT(S)

Planning and Development Services Department
Current Planning Services

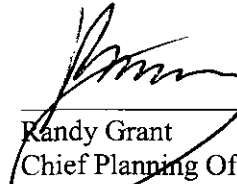
STAFF CONTACT(S)

Bill Verschuren
Senior Planner
480-312-7734
E-mail:

bverschuren@ScottsdaleAZ.gov

Randy Grant
Chief Planning Officer
480-312-7995
E-mail: rgrant@ScottsdaleAZ.gov

APPROVED BY



Randy Grant
Chief Planning Officer

1/30/04
Date



Ed Gawf
Deputy City Manager

2/4/04
Date

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Citizen Involvement
8. City Notification Map
9. Land Area Map
10. Case History
11. January 14, 2004 Draft Planning Commission Minutes
12. Site Plan



City of Scottsdale

PROJECT NARRATIVE FOR CITY INITIATED PROJECTS



- ☐ Rezoning ☐ Other
- ☒ Use Permit
- ☐ Development Review
- ☐ Master Sign Programs
- ☐ Text Amendment

Case # _____ / 432 -PA- 2003

Project Name Regulatory Compliance Improvements Project

Location CAP Water Treatment Plant

Applicant City of Scottsdale

Ordinance Section _____

SITE DETAILS

Proposed Zoning: OS-PCD, PCD

Existing Zoning: OS-PCD, PCD

Parcel Size: 6.9 acres, total

Height: Approx. 50 feet max. planned building height

Parking Required: 0 spaces

Parking Provided: 0 spaces

Of Buildings: 2 (not incl. 2 on exist. WTP Parcel)

Setbacks: N- 25 feet S- 25 feet

E- N/A W- 0 feet

In the following space, please describe the project or the request

The purpose of this project is to design a granular activated carbon (GAC) facility for treatment of drinking water at Scottsdale's Central Arizona Project (CAP) Water Treatment Plant (WTP). The additional treatment is required for the City to comply with the anticipated Stage 2 Disinfectant/Disinfection By-Product Rule promulgated by the U.S. EPA. The GAC facility is to be added to the CAP WTP process train downstream of the existing granular media filters and is intended lower dissolved organic carbon (DOC) concentrations in the filtered water and reduce undesirable reactions of DOC with the chlorine disinfectant.

The planned site layout includes a new building dedicated to the GAC process and adjacent pumps, piping, valves, and concrete vaults. The GAC building will house the carbon contactors; ancillary piping, valves, and pumps; and electrical and control equipment. An influent pumping station to deliver filtered water to the GAC facility will be located adjacent to the GAC building. The design of all structures for the project will employ architectural concepts compatible with the existing CAP WTP site and its surroundings. The City of Scottsdale is in the process of acquiring additional undeveloped land west of the WTP site that is currently owned by the State of Arizona. A portion of the GAC facility will be constructed on this additional land. The existing CAP WTP site enclosure will also be modified to encompass the newly acquired land and maintain a secure site. Stormwater drainage from the GAC facility area will continue to flow south generally following existing drainage patterns at the CAP WTP.

The CAP WTP will experience additional periodic traffic from carbon delivery tankers along the plant's southern and western perimeters, as shown on the Conceptual Site Plan. The existing WTP access road will not be modified as shown on the Conceptual Site Plan until an additional finished water reservoir is constructed over the existing plant access road. The need for the additional reservoir may not be determined until design of the CAP WTP expansion to 75 million gallons per day is undertaken in future years. The plant expansion is not part of this GAC facility project.

(If an additional page)

ATTACHMENT #1

27-UP-2003

11/4/2003



Q.S.
39-48

G.I.S. ORTHOPHOTO 2002

27-UP-2003

Water Treatment Plant Improvements

ATTACHMENT #2



Q.S.
39-48

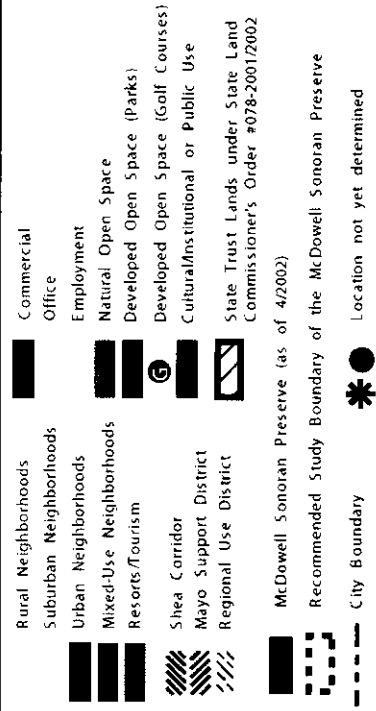
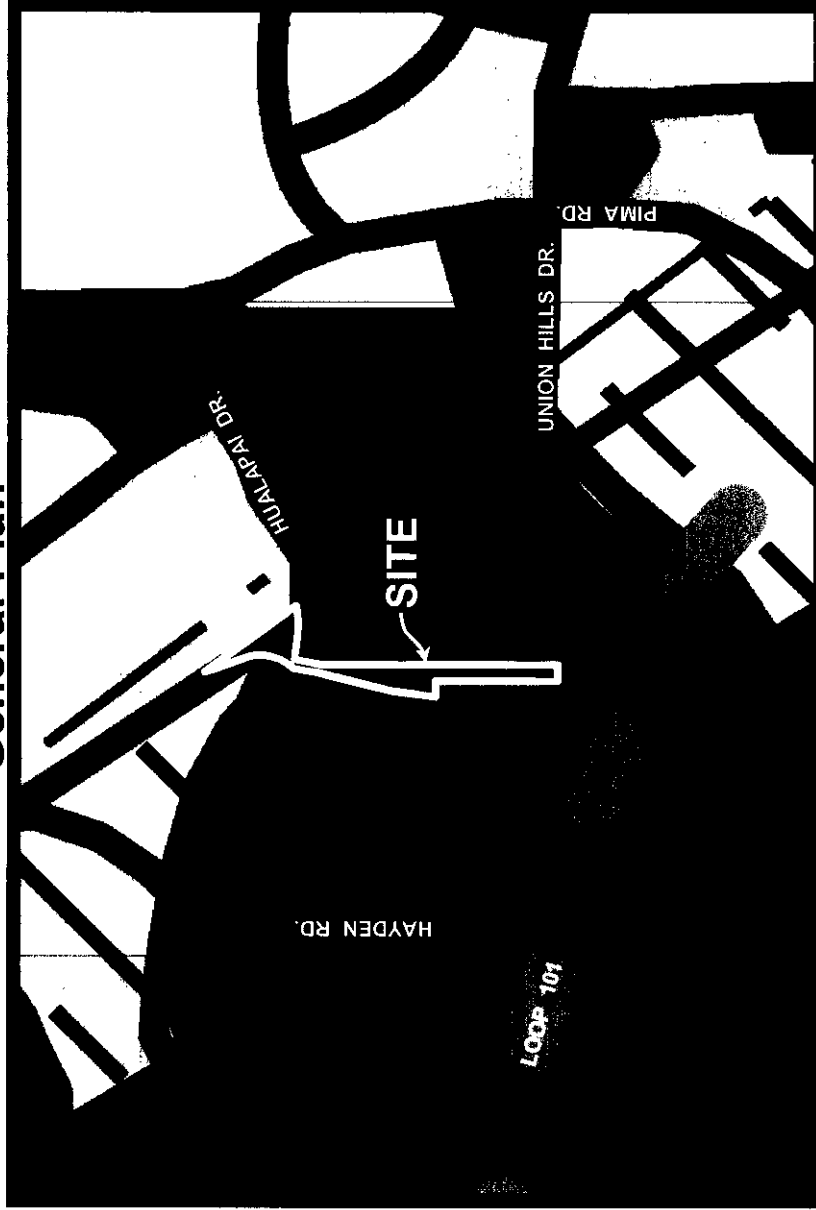
G.I.S. ORTHOPHOTO 2002

Water Treatment Plant Improvements

27-UP-2003

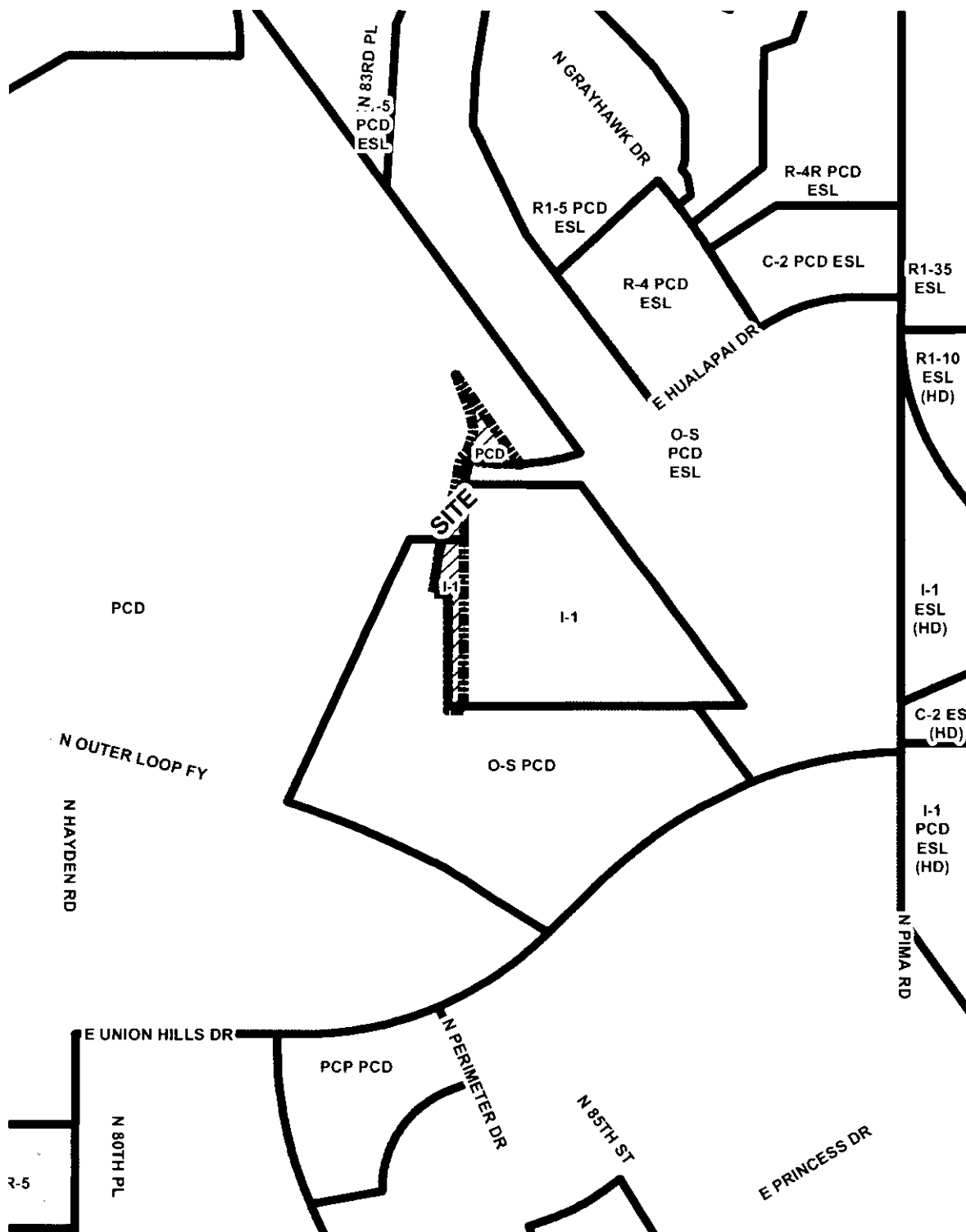
ATTACHMENT #2A

General Plan

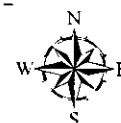


27-UP-2003
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of April 2, 2002



27-UP-2003
ATTACHMENT #4



STIPULATIONS FOR CASE 27-UP-2003

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO DEVELOPMENT SUBMITTAL. Development shall conform with the 8½ x 11 site plan submitted by Malcolm Pirnie and dated December 2003. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. Security lights within the water campus shall be mounted below the height of the perimeter screen wall.
3. Parking lot lights shall be limited to a height of fourteen (14) feet measured from finished grade to the bottom of the fixture.

DRAINAGE AND FLOOD CONTROL

1. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual – Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - (1). Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2). Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
- a. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
2. STORM WATER STORAGE REQUIREMENT. Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
3. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit to the Community Development Division a Request for Waiver Review form, which shall:
 - (1). Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - (2). Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
 - b. The developer shall obtain an approved Stormwater Storage Waiver. The approved waiver shall be obtained before the Development Review Board (DRB) case can be scheduled for a DRB hearing, and before the developer submits the improvement plans to the Development Quality/Compliance Division.

ADDITIONAL INFORMATION FOR CASE 27-UP-2003

PLANNING/DEVELOPMENT

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. Architectural Design
 - b. Perimeter Wall Design,
 - c. Landscape Plan
 - d. The type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use.
2. NATIVE PLANT PRESERVATION. The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.

ENGINEERING

1. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb one or more acres shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region9>.]

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) with the improvement plan submittal to the Development Quality/Compliance Division.
2. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.
 3. SECTION 404 PERMITS. With the improvement plan submittal to the Project Quality/Compliance Division, the developer's engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
 4. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
 5. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.

6. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
- a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - e. Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (1). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
 - (2). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (3). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (4). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

**REGULATORY COMPLIANCE IMPROVEMENTS PROJECT
CAP WATER TREATMENT PLANT
CITY OF SCOTTSDALE, AZ
SEPTEMBER 22, 2003**

**NEIGHBORHOOD INVOLVEMENT FOR THE MUNICIPAL USE PERMIT
APPLICATION**

The Neighborhood Involvement Requirements stated within the Neighborhood Involvement Packet as part the Municipal Use Permit Application include the following two items:

1. You are required to provide information about your project to property owners and HOA's within 750 feet of the property by 1st class letter, postcard, or phone call.
2. You are required to hold at least one Open House Meeting.
3. You are required to submit a Neighborhood Involvement Report to your Project Coordinator with your application.

Due to the fact that there are no property owners and HOA's within 750 feet of the property, Malcolm Pirnie, Inc. is not required to contact anyone on behalf of the owner, City of Scottsdale, concerning the proposed project, or to hold an Open House Meeting. There has been a decision, however, to notify the surrounding property owners, regardless of distance from the CAP Water Treatment Plant, about the future onsite construction. This notification will be handled internally within the City of Scottsdale.

[FLYER → WILL SEND OUT AND GIVE US A COPY AND ALL ADDRESSES]

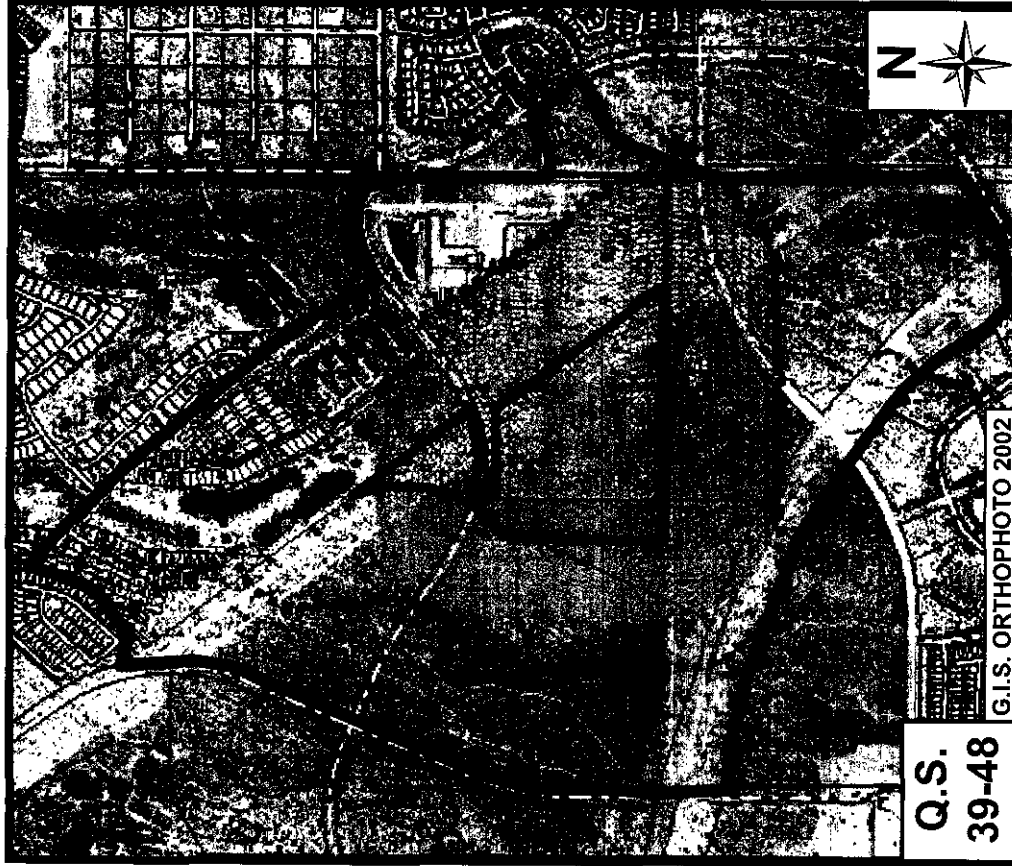
* APPLICANT SEND OUT 149 FLYERS TO ALL
PROPERTY OWNERS WITHIN 1,800 FT. OF SITE.

* APPLICANT HAD ONE OPEN HOUSE ON OCT. 15, 2003.
ONE CITIZEN SHOWED UP AND INQUIRED ABOUT
THE PROJECT.

ATTACHMENT #7

27-UP-2003
11/4/2003

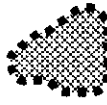
City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 300-feet



Extended Selection
(Additional properties notified)

Additional Notifications:

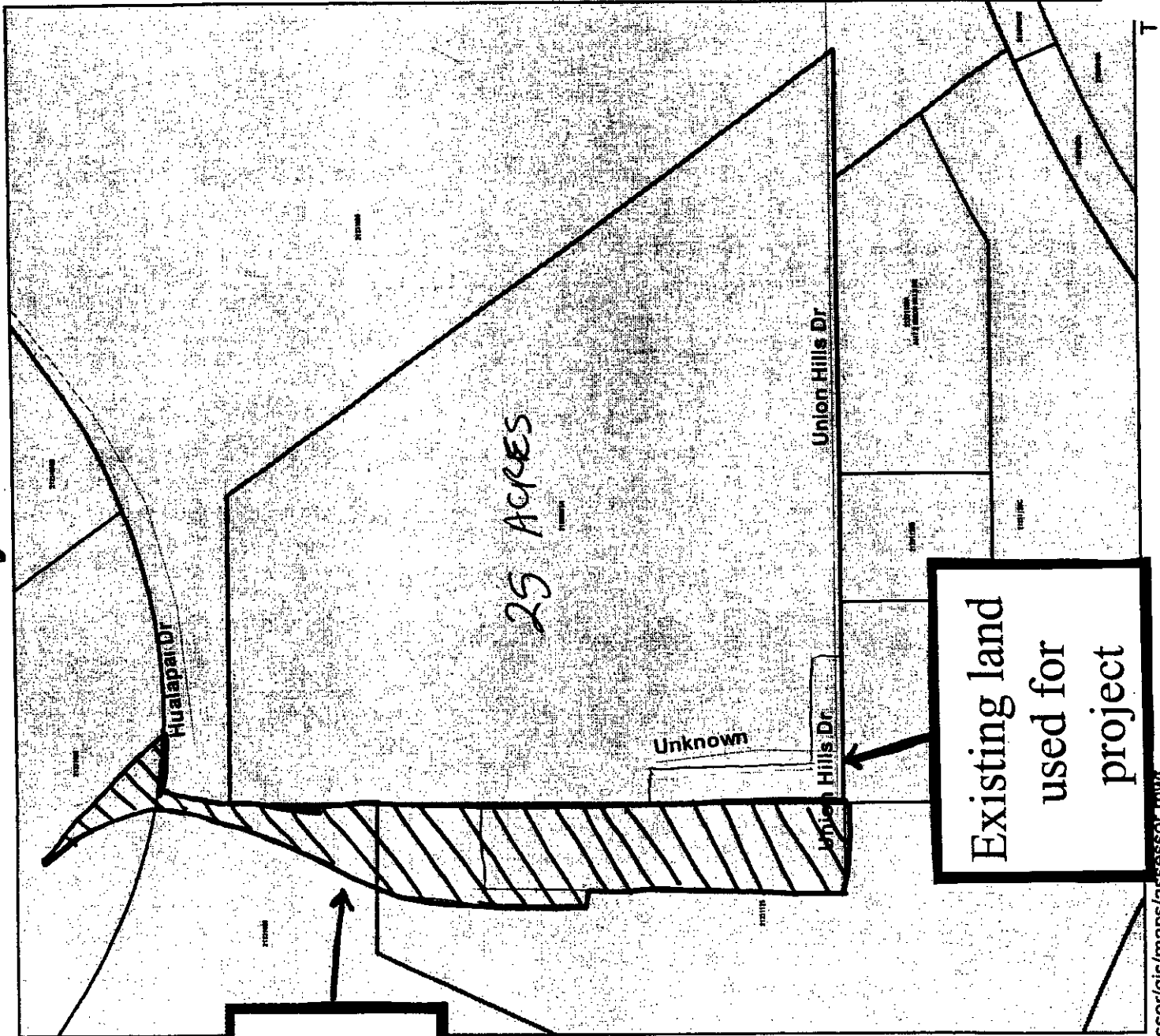
- Casas at Ironwood Village
- Ironwood Village Association
- Pima Acres HOA
- Scottsdale Stonebrook II HOA
- The Retreat @ Grayhawk HOA
- Interested Parties Listing

27-UP-2003

Water Treatment Plant

ATTACHMENT #8

County Parcels



CASE HISTORY

122-ZN-84 -- Rezone a 41.6-acre CAP water treatment plant site from R1-35 to I-1.

50-DR-85 - Development Review case for the CAP water treatment plant.

50-DR-85#2 - Development Review case for an expansion to the CAP water treatment plant and for buffering techniques.

50-DR-85#3 - Development Review case for another expansion to the CAP water treatment plant.

40-SA-2000 -- Approval of an underground pump in the CAP water treatment plant

46-ZN-1990 -- Rezoning of Core North (2360 acres) from a variety of districts to PCD.

46-ZN-1990#2 -- Amend zoning, development plan, development standards, and stipulations of the original case.

COMMISSIONER BARNETT NOMINATED DAVID GULINO AS CHAIRMAN AND STEVE STEINBERG AS VICE CHAIRMAN OF THE PLANNING COMMISSION. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

MINUTES APPROVAL

December 10, 2003

COMMISSIONER BARNETT MADE A MOTION TO APPROVE THE DECEMBER 10, 2003 MINUTES AS PRESENTED. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

CONTINUANCES

28-UP-2003 (Sanctuary Nightclub and Restaurant) request by Beus Gilbert PLLC, applicant, F.F.P. LLC, owner, for a conditional use permit for an after-hours establishment on a .78 +/- acre parcel located at 7336 – 7340 E. Shoeman Lane with Central Business District, Parking District, Downtown Overlay (C-2/P-3/P-2. DO) zoning. **Continued date to be determined.**

COMMISSIONER BARNETT MOVED TO CONTINUE CASE 28-UP-2003 TO A DATE TO BE DETERMINED. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

27-UP-2003 (Water Treatment Plant) request by City of Scottsdale, applicant/owner, to approve a municipal use master site plan by expanding the existing water treatment plant with an additional 6.9+/- acres located at 8660 E. Union Hills Drive for the construction of a water treatment facility with Industrial Park District (I-1) zoning.

32-UP-2003 (Sprint PCS) request by Starbridge Communications LLC, applicant, United Assets Inc., owner, for a conditional use permit for a wireless communication facility to be located within two flagpoles on a 336 +/- square foot portion of a parcel located at 7609 E. Indian Bend Road with Multi-Family Residential District (R-5) zoning.

22-ZN-2003 (Ingleside Inn Tract Unit 03) request by City of Scottsdale, applicant, Michael & Sally Conners, owners, to rezone from Single Family Residential (R1-

10) (City of Phoenix zoning) to Single Family Residential District (R1-7) on a portion of a .41 +/- acre parcel located at 6002 E. Carnation Circle.

COMMISSIONER BARNETT MOVED TO FORWARD CASES 27-UP-2003, 32-UP-2003, AND 22-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO MEETING THE USE PERMIT CRITERIA. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

NON-ACTION ITEM

Discussion on Historic Preservation

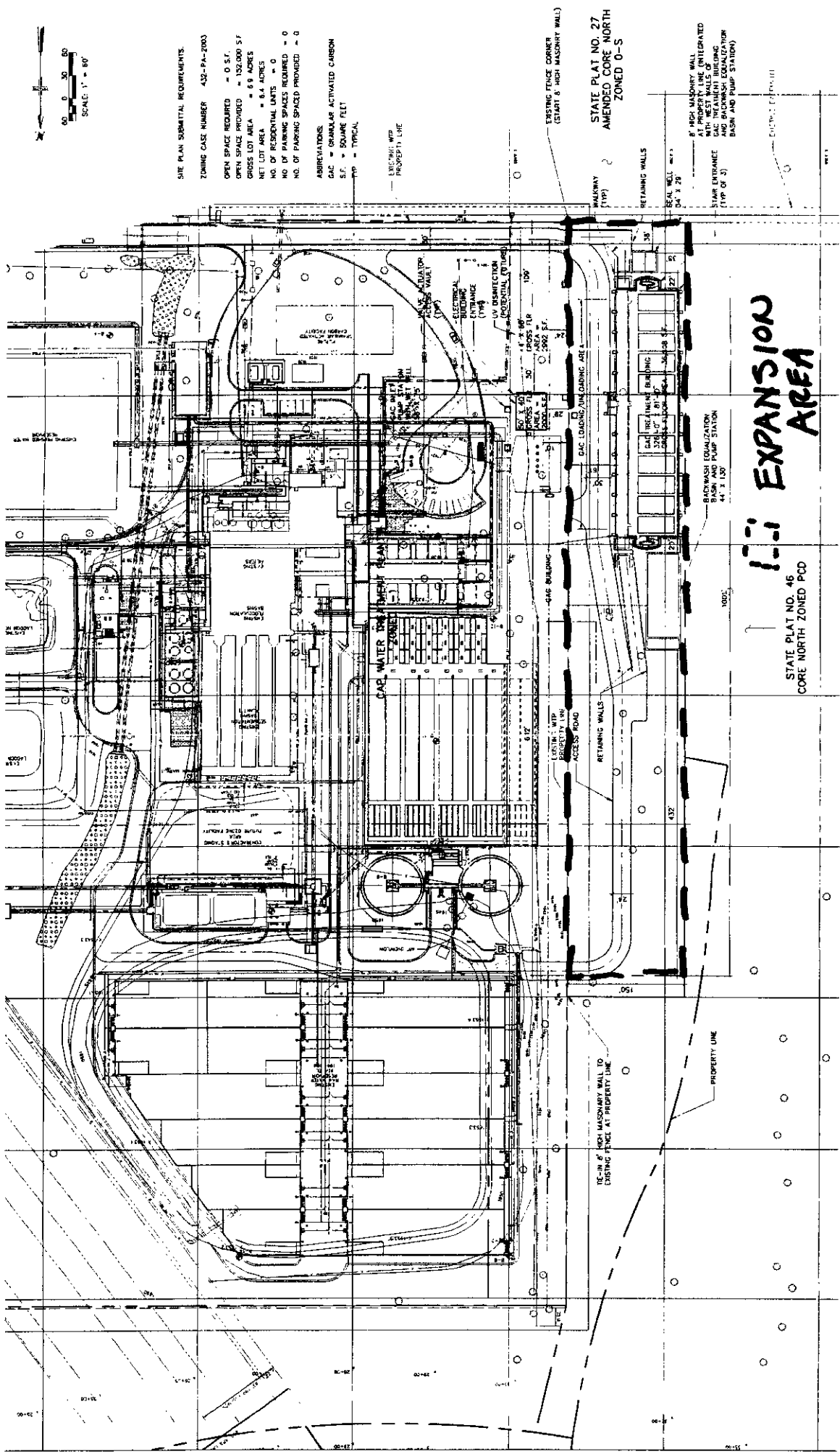
MS. ABELE provided a review of the relevant sections of the HP Ordinance which the Planning Commission has responsibilities. She discussed the Historic Preservation Commission make-up and expertise required for appointment and their duties. She provided information on the criteria and process for evaluating significance, and the supporting documentation provided to assist in review.

VICE CHAIRMAN STEINBERG inquired about the process for contacting the property owners to obtain their consent for the HP designation. Ms. Abele reported there is a concerted effort to talk to every property owner. Vice Chairman Steinberg inquired if there were stringent guidelines for maintenance or work done on the exterior of a building they would have to abide by. Ms. Abele stated that there are not maintenance requirements but there are requirements for the work done on the exterior of the building.

Vice Chairman Steinberg inquired if the owner of the property does not want the historic designation if there was an appeals process. Ms. Abele stated there is a process that an owner could initiate taking off the overlay zoning.

COMMISSIONER BARNETT stated this appears to be a very onerous process. He inquired if there was a faster more efficient way of doing this. Ms. Boomsma reviewed the issues that went into drafting the ordinance. She stated there were two competing interests one was not to overburden the process and the other was to make sure protections were in place for property owners who are not interested in designation. She noted that there is a process to bring the HP designation through at the same time as the zoning. Ms. Abele noted there are only a limited number of properties that would be eligible for designation.

CHAIRMAN GULINO requested additional information on the appeals process. Ms. Boomsma provided a brief overview of the process. Chairman Gulino inquired if there were any advantages or disadvantages to the property owner to have the historic designation. Ms. Abele stated the advantages are they receive



SITE PLAN SUBMITTAL REQUIREMENTS

ZONING CASE NUMBER 432-PA-2003

OPEN SPACE REQUIRED = 0 S.F.

GROSS SPACE PROVIDED = 120,000 S.F.

GROSS LOT AREA = 6.9 ACRES

NET LOT AREA = 6.4 ACRES

NO. OF RESIDENTIAL UNITS = 0

NO. OF PARKING SPACES REQUIRED = 0

NO. OF PARKING SPACES PROVIDED = 0

ABBREVIATIONS

CAC = GRANULAR ACTIVATED CARBON

S.F. = SQUARE FEET

TYP = TYPICAL

EXISTING W/DP PROPERTY LINE

STATE PLAT NO. 27
AMENDED CORE NORTH
ZONED O-S

8" HIGH MASONRY WALL
AT PROPERTY LINE (INTEGRATED
WITH WEST WALLS OF
EXISTING BUILDING
AND BACKWASH EQUALIZATION
BASIN AND PUMP STATION)

**EXPANSION
AREA**

STATE PLAT NO. 46
CORE NORTH ZONED PCO

PRELIMINARY - NOT FOR CONSTRUCTION